

**United States Bankruptcy Court
District of South Carolina**

In re Sand Castle South Timeshare Owners Association, Inc.
Debtor(s)

Case No. 19-02764
Chapter 11

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s) or statement(s) are transmitted herewith:

- (1) Schedule A/B is amended to add Furniture (see Line Item No. 38)
- (2) Schedule H is amended to add a co-debtor (see Line Item No. 2.1)
- (3) Statement of Financial Affairs is amended to add information concerning payments to the Management Company (see Line Item No. 4.1), and to add further information concerning a lawsuit in which the Debtor was named as a defendant (see Line Item No. 7.1)

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

Pursuant to Federal Rule of Bankruptcy Procedure 1009(a), I certify that notice of the filing of the amendment(s) listed above has been given this date to any and all entities affected by the amendment as follows: **Parties entitled to notice will receive notice at the time of filing under the ECF/NEF System.**

Date: July 19, 2019

Julio E. Mendoza, Jr. 3365
Attorney for Debtor
Nexsen Pruet, LLC
1230 Main Street, Suite 700 (29201)
PO Box 2426
Columbia, SC 29202
803-540-2026 Fax: 803-727-1478
rmendoza@nexsenpruet.com

and

/s/ J. Ronald Jones, Jr.
J. Ronald Jones, Jr. 5874
Attorney for the Debtor
Nexsen Pruet, LLC
205 King Street, Suite 400 (29401)
PO Box 486
Charleston, SC 29402
843-720-1740 Fax: 843-414-8220
rjones@nexsenpruet.com

Fill in this information to identify the case:

Debtor name Sand Castle South Timeshare Owners Association, Inc.

United States Bankruptcy Court for the: DISTRICT OF SOUTH CAROLINA

Case number (if known) 19-02764

☒ Check if this is an amended filing

Official Form 206A/B

Schedule A/B: Assets - Real and Personal Property

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

Part 1: Cash and cash equivalents

1. Does the debtor have any cash or cash equivalents?

- ☐ No. Go to Part 2.
☒ Yes Fill in the information below.

All cash or cash equivalents owned or controlled by the debtor

Current value of
debtor's interest
\$300.00

2. Cash on hand

3. Checking, savings, money market, or financial brokerage accounts (Identify all)
 Name of institution (bank or brokerage firm) Type of account Last 4 digits of account number

3.1. Fifth Third	Operating	5290	\$61,315.55
------------------	-----------	------	-------------

4. Other cash equivalents (Identify all)

5. Total of Part 1.

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

\$61,615.55

Part 2: Deposits and Prepayments

6. Does the debtor have any deposits or prepayments?

- ☒ No. Go to Part 3.
☐ Yes Fill in the information below.

Part 3: Accounts receivable

10. Does the debtor have any accounts receivable?

- ☐ No. Go to Part 4.
☒ Yes Fill in the information below.

11. Accounts receivable

Debtor **Sand Castle South Timeshare Owners Association, Inc.** Case number (If known) **19-02764**
Name

11b. Over 90 days old: 2,153,327.66 - Unknown = Unknown
face amount doubtful or uncollectible accounts

12. **Total of Part 3.**

Current value on lines 11a + 11b = line 12. Copy the total to line 82.

Unknown

Part 4: Investments

13. Does the debtor own any investments?

- ☒ No. Go to Part 5.
☐ Yes Fill in the information below.

Part 5: Inventory, excluding agriculture assets

18. Does the debtor own any inventory (excluding agriculture assets)?

- ☒ No. Go to Part 6.
☐ Yes Fill in the information below.

Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

- ☒ No. Go to Part 7.
☐ Yes Fill in the information below.

Part 7: Office furniture, fixtures, and equipment; and collectibles

38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?

- ☐ No. Go to Part 8.
☒ Yes Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
39. Office furniture Furniture located at Real Estate (Hotel/Timeshare furniture including assorted beds, sofas, chairs, tables, televisions, etc...)	\$19,500.00	Liquidation	\$19,500.00

40. Office fixtures

41. Office equipment, including all computer equipment and communication systems equipment and software

42. Collectibles Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; china and crystal; stamp, coin, or baseball card collections; other collections, memorabilia, or collectibles

43. **Total of Part 7.**

Add lines 39 through 42. Copy the total to line 86.

\$19,500.00

44. Is a depreciation schedule available for any of the property listed in Part 7?

- ☒ No
☐ Yes

45. Has any of the property listed in Part 7 been appraised by a professional within the last year?

- ☒ No

Debtor **Sand Castle South Timeshare Owners Association, Inc.** Case number (if known) **19-02764**
Name _____

☐ Yes

Part 8: Machinery, equipment, and vehicles

46. Does the debtor own or lease any machinery, equipment, or vehicles?

- ☒ No. Go to Part 9.
☐ Yes Fill in the information below.

Part 9: Real property

54. Does the debtor own or lease any real property?

- ☐ No. Go to Part 10.
☒ Yes Fill in the information below.

55. Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available).	Nature and extent of debtor's interest in property	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
55.1. 39 Timeshare units located at 2207 South Ocean Blvd, Myrtle Beach, South Carolina 29577 (Units Numbered 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 914, 915, 916, 917, 918, 919, 920, 921, 1101, 1102, 1103, 1104, 1105, , 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1114, 1115, 1116, 1117, 1118, 1119, 1120 and 1121 of the Sand Castle South Horizontal Property Regime). SEE ATTACHED LEGAL DESCRIPTION		Unknown		Unknown

56. Total of Part 9.

Add the current value on lines 55.1 through 55.6 and entries from any additional sheets. Copy the total to line 88.

Unknown

57. Is a depreciation schedule available for any of the property listed in Part 9?

- ☒ No
☐ Yes

58. Has any of the property listed in Part 9 been appraised by a professional within the last year?

- ☒ No
☐ Yes

Debtor **Sand Castle South Timeshare Owners Association, Inc.**
Name

Case number (if known) **19-02764**

Part 10: Intangibles and intellectual property

59. Does the debtor have any interests in intangibles or intellectual property?

- ☐ No. Go to Part 11.
☒ Yes Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
60. Patents, copyrights, trademarks, and trade secrets			
61. Internet domain names and websites			
62. Licenses, franchises, and royalties Sand Castle South Timeshare Ownership Plan License (SC REC File No. 905)	Unknown		Unknown
63. Customer lists, mailing lists, or other compilations			
64. Other intangibles, or intellectual property			
65. Goodwill			
66. Total of Part 10. Add lines 60 through 65. Copy the total to line 89.			Unknown
67. Do your lists or records include personally identifiable information of customers (as defined in 11 U.S.C. §§ 101(41A) and 107? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
68. Is there an amortization or other similar schedule available for any of the property listed in Part 10? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
69. Has any of the property listed in Part 10 been appraised by a professional within the last year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

Part 11: All other assets

70. Does the debtor own any other assets that have not yet been reported on this form?

Include all interests in executory contracts and unexpired leases not previously reported on this form.

- ☒ No. Go to Part 12.
☐ Yes Fill in the information below.

Debtor **Sand Castle South Timeshare Owners Association, Inc.** Case number (if known) **19-02764**
 Name _____

Part 12: Summary

In Part 12 copy all of the totals from the earlier parts of the form
 Type of property

Current value of
 personal property

Current value of real
 property

80. **Cash, cash equivalents, and financial assets.**
Copy line 5, Part 1 \$61,615.55

81. **Deposits and prepayments.** *Copy line 9, Part 2.* \$0.00

82. **Accounts receivable.** *Copy line 12, Part 3.* Unknown

83. **Investments.** *Copy line 17, Part 4.* \$0.00

84. **Inventory.** *Copy line 23, Part 5.* \$0.00

85. **Farming and fishing-related assets.** *Copy line 33, Part 6.* \$0.00

86. **Office furniture, fixtures, and equipment; and collectibles.**
Copy line 43, Part 7. \$19,500.00

87. **Machinery, equipment, and vehicles.** *Copy line 51, Part 8.* \$0.00

88. **Real property.** *Copy line 56, Part 9.....>*

Unknown

89. **Intangibles and intellectual property.** *Copy line 66, Part 10.* Unknown

90. **All other assets.** *Copy line 78, Part 11.* + \$0.00

91. **Total.** Add lines 80 through 90 for each column \$81,115.55 + 91b.

\$0.00

92. **Total of all property on Schedule A/B.** Add lines 91a+91b=92

\$81,115.55

Debtor **Sand Castle South Timeshare Owners Association, Inc.**
Name

Case number (if known) **19-02764**

LEGAL DESCRIPTION OF PROPERTY

ALL AND SINGULAR, those certain Units Numbered 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 914, 915, 916, 917, 918, 919, 920, 921, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1114, 1115, 1116, 1117, 1118, 1119, 1120, and 1121 of the Sand Castle South Horizontal Property Regime, established pursuant to the Master Deed for Sand Castle South Horizontal Property Regime, dated June 16, 2006 and recorded June 16, 2006 in Deed Book 3114 at Page 478, in the records of Horry County, South Carolina.

SUBJECT to all of the provisions of the aforesaid Master Deed and Exhibits and Amendments thereto.

AND SUBJECT to all other restrictions, reservations, easements, and rights of way or record, including those set out on the recorded map.

AND FURTHER SUBJECT to all of the provisions of the Supplemental Declaration for Sand Castle South Timeshare Ownership Plan recorded in Deed Book 3255 at Page 567, et. seq., in the records of Horry County, South Carolina.

TOGETHER will all of the appurtenances thereto according the Master Deed, the Supplemental Declaration for Sand Castle South Timeshare Ownership Plan and Exhibits and Amendments thereto, and the Grantee assumes and agrees to observe and perform its obligations under the Master Deed and Supplemental Declaration for Sand Castle South Timeshare Ownership Plan and Exhibits and Amendments thereto, including, but not limited to, the payment of assessments for the maintenance and operation of the units, condominiums and timeshare interests. AND SUBJECT to the provisions of the By-Laws of Sand Castle South Homeowner's Association, Inc. and the By-Laws of Sand Castle South Timeshare Owners Association, Inc.

This being a portion of the property conveyed to Sand Castle South Condo, LLC by Deed of Cherokee Motels, Inc., recorded June 16, 2006 in Deed Book 3114 at Page 462, in the Office of the Register of Deeds for Horry County, South Carolina.

TMS No.: 187-01-02-078; 187-01-02-079; 187-01-02-080; 187-01-02-081; 187-01-02-082; 187-01-02-083; 187-01-02-084; 187-01-02-085; 187-01-02-086; 187-01-02-087; 187-01-02-088; 187-01-02-089; 187-01-02-90; 187-01-02-091; 187-01-02-092; 187-01-02-093; 187-01-02-094; 187-01-02-095; 187-01-02-096; 187-01-02-097; 187-01-02-218; 187-01-02-219; 187-01-02-220; 187-01-02-221; 187-01-02-222; 187-01-02-223; 187-01-02-224; 187-

01-02-225; 187-01-02-226; 187-01-02-227; 187-01-02-228; 187-01-02-229;
187-01-02-230; 187-01-02-231; 187-01-02-232; 187-01-02-233; 187-01-02-
234; 187-01-02-235: 187-01-02-236 and 187-01-02-237

LESS AND EXCEPTING:

Any previously conveyed timeshare interest in the above referenced Units,
consisting of a 1/52 or a 1/104 undivided interest.

Fill in this information to identify the case:

Debtor name **Sand Castle South Timeshare Owners Association, Inc.**

United States Bankruptcy Court for the: **DISTRICT OF SOUTH CAROLINA**

Case number (if known) **19-02764**

☐ Check if this is an amended filing

Official Form 206H
Schedule H: Your Codebtors

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

1. Do you have any codebtors?

☐ No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.

☒ Yes

2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.

Column 1: Codebtor

Column 2: Creditor

Name	Mailing Address	Name	Check all schedules that apply:
2.1 Festiva Development Group, Inc.	One Vance Gap Road Asheville, NC 28805	Cherokee Motels, Inc.	<input type="checkbox"/> D _____ <input checked="" type="checkbox"/> E/F 3.113 <input type="checkbox"/> G _____

Fill in this information to identify the case:

Debtor name Sand Castle South Timeshare Owners Association, Inc.

United States Bankruptcy Court for the: DISTRICT OF SOUTH CAROLINA

Case number (if known) 19-02764

☐ Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

04/19

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income

1. Gross revenue from business

☐ None.

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue
Check all that apply

Gross revenue
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:
From 1/01/2019 to Filing Date

☒ Operating a business
☐ Other _____

\$117,614.22

For prior year:
From 1/01/2018 to 12/31/2018

☒ Operating a business
☐ Other _____

\$1,037,000.74

For year before that:
From 1/01/2017 to 12/31/2017

☒ Operating a business
☐ Other _____

\$939,758.62

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None.

Description of sources of revenue

Gross revenue from each source
(before deductions and exclusions)

Part 2: List Certain Transfers Made Before Filing for Bankruptcy

3. Certain payments or transfers to creditors within 90 days before filing this case

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☐ None.

Creditor's Name and Address

Dates

Total amount of value

Reasons for payment or transfer
Check all that apply

Debtor Sand Castle South Timeshare Owners Association, Inc.Case number (if known) 19-02764

Creditor's Name and Address	Dates	Total amount of value	Reasons for payment or transfer Check all that apply
3.1. Cherokee Motels, Inc. PO Box 1362 Myrtle Beach, SC 29578		\$40,000.00	<input type="checkbox"/> Secured debt <input checked="" type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other___

3.2. The Debtor made payments to other creditors within the 90 days before filing; however, the aggregate to each of these creditors was less than \$6,825.	Unknown		<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other___
---	---------	--	--

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☐ None.

Insider's name and address Relationship to debtor	Dates	Total amount of value	Reasons for payment or transfer
4.1. LaTour Hotels & Resorts, Inc. One Vance Gap Road Asheville, NC 28805 Management Company	1/3/18; 2/27/18; 3/1/18; 4/2/18; 4/24/18; 5/1/18; 5/18/18; 6/1/18; 6/25/18; 7/2/18; 7/30/18; 8/1/18; 8/23/18 and 9/4/18	\$137,053.62	Management Company Fees - The Debtor does not believe that LaTour Hotels & Resorts, Inc. ("LaTour") is an insider as that term is defined in the United States Bankruptcy Code. Payments made to LaTour during the one year prior to the filing were made monthly in the ordinary course of business in the total amount of \$137,053.62.

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

Creditor's name and address	Describe of the Property	Date	Value of property
-----------------------------	--------------------------	------	-------------------

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address	Description of the action creditor took	Date action was taken	Amount
-----------------------------	---	-----------------------	--------

Part 3: Legal Actions or Assignments**7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits**

Debtor

Sand Castle South Timeshare Owners Association, Inc.Case number (if known) **19-02764**

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☐ None.

Case title Case number	Nature of case	Court or agency's name and address	Status of case
7.1. Michael Gerber vs. Sand Castle Southbeach, LLC, Sand Castle South Beach Rental Management Company, LLC, Sand Castle South Condo, LLC, Sand Castle South Homeowners' Association, Inc., and Sand Castle South Timeshare Owners Association, Inc. 2018-CP-26-02536	This action involved a guest who fell in the shower and was injured. The guest was not in one of the Debtor's units. The Debtor has been dismissed from this action.	Horry County Circuit Court	<input type="checkbox"/> Pending <input type="checkbox"/> On appeal <input type="checkbox"/> Concluded

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

☒ None

Recipient's name and address	Description of the gifts or contributions	Dates given	Value
------------------------------	---	-------------	-------

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Description of the property lost and how the loss occurred	Amount of payments received for the loss	Dates of loss	Value of property lost
	<p>If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.</p> <p>List unpaid claims on Official Form 106A/B (<i>Schedule A/B: Assets – Real and Personal Property</i>).</p>		

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

☐ None.

Who was paid or who received the transfer? Address	If not money, describe any property transferred	Dates	Total amount or value
---	---	-------	-----------------------

Debtor Sand Castle South Timeshare Owners Association, Inc.Case number (if known) 19-02764

Who was paid or who received the transfer? Address	If not money, describe any property transferred	Dates	Total amount or value
11.1. Nexsen Pruet, LLC 1230 Main Street, Suite 700 (29201) PO Box 2426 Columbia, SC 29202	Retainer for bankruptcy consultation, preparation and filing.	March 18, 2019	\$75,000.00
Email or website address <u>rmendoza@nexsenpruet.com</u>			
Who made the payment, if not debtor?			

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None.

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
-------------------------	-----------------------------------	---------------------------	-----------------------

13. Transfers not already listed on this statement

List any transfers of money or other property by sale, trade, or any other means made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None.

Who received transfer? Address	Description of property transferred or payments received or debts paid in exchange	Date transfer was made	Total amount or value
-----------------------------------	--	------------------------	-----------------------

Part 7: Previous Locations**14. Previous addresses**

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Address	Dates of occupancy From-To
---------	-------------------------------

Part 8: Health Care Bankruptcies**15. Health Care bankruptcies**

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

☒ No. Go to Part 9.

☐ Yes. Fill in the information below.

Facility name and address	Nature of the business operation, including type of services the debtor provides	If debtor provides meals and housing, number of patients in debtor's care
---------------------------	--	---

Part 9: Personally Identifiable Information

Debtor Sand Castle South Timeshare Owners Association, Inc.Case number (if known) 19-02764**16. Does the debtor collect and retain personally identifiable information of customers?**

- ☐ No.
- ☒ Yes. State the nature of the information collected and retained.

Name and contact information

Does the debtor have a privacy policy about that information?

- ☐ No
- ☒ Yes

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?

- ☒ No. Go to Part 10.
- ☐ Yes. Does the debtor serve as plan administrator?

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units**18. Closed financial accounts**

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☐ None

Financial Institution name and Address	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
18.1. Bank of America	XXXX-4356	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Money Market <input type="checkbox"/> Brokerage <input type="checkbox"/> Other__		\$0.00

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☒ None

Depository institution name and address	Names of anyone with access to it Address	Description of the contents	Do you still have it?
---	--	-----------------------------	-----------------------

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☒ None

Facility name and address	Names of anyone with access to it	Description of the contents	Do you still have it?
---------------------------	-----------------------------------	-----------------------------	-----------------------

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☐ None

Part 12: Details About Environment Information

For the purpose of Part 12, the following definitions apply:

Environmental law means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).

Site means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.

Hazardous material means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☐ No.
☐ Yes. Provide details below.

Case title Case number	Court or agency name and address	Nature of the case	Status of case
---------------------------	-------------------------------------	--------------------	----------------

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

- ☐ No.
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
-----------------------	---------------------------------------	-----------------------------	----------------

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☐ No.
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
-----------------------	---------------------------------------	-----------------------------	----------------

Part 13: Details About the Debtor's Business or Connections to Any Business**25. Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

☐ None

Business name address	Describe the nature of the business	Employer identification number Do not include Social Security number or ITIN. Dates business existed
-----------------------	-------------------------------------	--

26. Books, records, and financial statements

26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☐ None

Name and address	Date of service From-To
------------------	----------------------------

Debtor Sand Castle South Timeshare Owners Association, Inc.Case number (if known) 19-02764**Name and address****Date of service
From-To**

26a.1. **LaTour Hotels & Resorts, Inc.**
One Vance Gap Road
Asheville, NC 28805

From January 1,
2018 to present.

26a.2. **Patton Hospitality Management**
One Vance Gap Road
Asheville, NC 28805

Prior to January 1,
2018

26b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

Name and address**Date of service
From-To**

26b.1. **Withumsmith+Brown, PC**
200 South Orange Ave, Suite 1200
Orlando, FL 32801

26c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

Name and address**If any books of account and records are
unavailable, explain why**

26c.1. **LaTour Hotels & Resorts, Inc.**
One Vance Gap Road
Asheville, NC 28805

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

Name and address**27. Inventories**

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No

☐ Yes. Give the details about the two most recent inventories.

**Name of the person who supervised the taking of the
inventory****Date of inventory****The dollar amount and basis (cost, market,
or other basis) of each inventory**

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name	Address	Position and nature of any interest	% of interest, if any
Herbert H. Patrick, Jr.	One Vance Gap Road Asheville, NC 28805	President and Director	
Kyle Smith	One Vance Gap Road Asheville, NC 28805	Secretary, Treasurer and Director	

Debtor Sand Castle South Timeshare Owners Association, Inc.Case number (if known) 19-02764

Name	Address	Position and nature of any interest	% of interest, if any
Mike Pawlowski	One Vance Gap Road Asheville, NC 28805	Vice President	

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

- ☐ No
☒ Yes. Identify below.

Name	Address	Position and nature of any interest	Period during which position or interest was held
Barney Barber	3354 Reed Street, Apt. 101 Myrtle Beach, SC 29577	Former President and Director	Resigned as of August 7, 2018

Name	Address	Position and nature of any interest	Period during which position or interest was held
Roger Bennett	One Vance Gap Road Asheville, NC 28805	Former Secretary, Treasurer and Director	Resigned as of August 7, 2018

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

- ☒ No
☐ Yes. Identify below.

Name and address of recipient	Amount of money or description and value of property	Dates	Reason for providing the value
-------------------------------	--	-------	--------------------------------

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

- ☒ No
☐ Yes. Identify below.

Name of the parent corporation

Employer Identification number of the parent corporation

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

- ☒ No
☐ Yes. Identify below.

Name of the pension fund

Employer Identification number of the parent corporation

Part 14: Signature and Declaration

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 19, 2019

/s/ Herbert H. Patrick, Jr.
Signature of individual signing on behalf of the debtor

Herbert H. Patrick, Jr.
Printed name

Position or relationship to debtor President

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

- ☒ No
☐ Yes

**United States Bankruptcy Court
District of South Carolina**

In re Sand Castle South Timeshare Owners Association, Inc.

Debtor(s)

Case No. 19-02764

Chapter 11

**AMENDED
DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing Schedule A/B; Schedule H; and, Statement of Financial Affairs, consisting of 17 page(s), and that they are true and correct to the best of my knowledge, information, and belief.

Date July 19, 2019

Signature /s/ Herbert H. Patrick, Jr.
Herbert H. Patrick, Jr.
President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.